IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 830 OF 2006

IN

APPEAL NO. 4 OF 2003

VIJAY NATHALAL GOHIL .. APPLICANT

Versus

THE STATE OF MAHARASHTRA .. RESPONDENTS

Mr. A.M. Saraogi for applicant

Mr. D.S. Mhaispurkar, APP

CORAM:-SMT. RANJANA DESAI &

A.P. DESHPANDE, JJ.

DATED:- 14/8/2006

P.C.:

. The applicant is released on furlough by D.I.G. Western Region, Pune. This application is for extension of furlough leave.

2. We have heard Mr. Saraogi, the learned counsel for the applicant and Mr. Mhaispurkar, learned APP.

3. Mr. Saraogi states that the furlough granted to the applicant is expiring on 15/8/06. He states that the applicant has to surrender on 16/8/06. Mr. Saraogi states that the applicant's wife continues to be ill and, therefore, he wants the furlough leave to be extended by one week.

4. Mr. Mhaispurkar, learned APP states that the applicant has to follow the necessary procedure for extension of furlough leave. The applicant will have to make an application to the D.I.G. Western Region, Pune. Mr. Saraogi states that he will make application to the D.I.G. Western Region, Pune in accordance with law within a week. In the meantime considering his wife's health condition, the furlough leave may be extended for a week.

5. In the peculiar facts and circumstances of this case, we extend the furlough leave for a period of one week from today. We make it clear that the applicant will have to follow the necessary prescribed procedure. No further extension will be granted by this court.

6. The applicant shall prefer the necessary application to the D.I.G. Western Region, Pune.

On such application being made, the same shall be considered expeditiously.

7. We note the submission of Mr. Mhaispurkar, learned APP that order releasing the applicant on furlough leave is not annexed to the application. However, since the statement is made by Mr. Saraogi, the learned counsel for the applicant in the court which is recorded by us, we see no reason not to extend the furlough leave by one week.

8. Application is disposed of.

(SMT. RANJANA DESAI,J.)

(A.P. DESHPANDE, J.)